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CZECHOSLOVAKIA

THE BANSKA-BYSTRICA TRIAL

SOURCE RELIABILITY: Undetermined.

DATE OF OBSERVATION: December 1962.

EVALUATION COMMENT: The trial under reference was held in BANSKA BYSTRICA (central Slovakia) between November 12 and 22, 1962. Arranged as a spectacular show trial, it ended with Ladislav MIZKANSKY, at present employed with RFE, sentenced to death in absentia; the other defendants drew sentences up to the legal maximum of 15 years of imprisonment.

The two comments which follow may be viewed as typical reactions prevalent among wide segments of the population. It does seem probable that the majority responds to a show trial of this sort at least with scepticism. The attitude of disbelief must be enhanced if they hear that the main defendant had been tried -- and acquitted -- for the same alleged war crimes as far back as 1946. If they devote some moments to rational consideration, most people are bound to realize that there is no objective reason to engineer such surprises (see, e.g. the dramatic story about the alleged eradication of two villages in the Slovak mountains!) more than 17 years after the war. Moreover, the propaganda against RFE with which the show trial was linked made some of the Communist motives all too transparent.

On the other hand, it is true that many people remain sensitive to any war crime allegations. Even if they do not believe everything to the last iota, they lack the possibility of verification and are left with the impression that at least some parts of the accusation are, more or less, based on facts. With these strata, which certainly include not only Party members, the propaganda drive unleashed against MIZKANSKY and, by implication, RFE is not without temporary effects.

The informant is convinced that the trial of the members of the so-called "Edelweiss" Counter-Partisan Unit in November of last year (1962) in BANSKA BYSTRICA and the reaction to it among the Czech public respectively did not come up to the expectations of the Communist organizers of the trial. It is said that there were many weak points in the trial which boomeranged against its initiators.

The informant, who lives in Moravia, followed the trial by listening repeatedly to Radio Bratislava. He had his personal reasons for this, since he had been in certain difficulties of a political nature after the end of the second world war because of his activity during the time of the Protectorate. He gained the impression from the very first days of the trial that the charges were trumped up, exaggerated in many details,

and that the connection with the German government was completely wrong. /.

spurious and illogical and that an aim different from the just punishment of the defendants in the dock was contemplated.

He verified this personal impression in conversations with other people and even comrades who, he says, also did not know what to think about the case. In general, people were wondering about some circumstances which evoked mistrust in the whole proceedings.

- a) What was the reason for dragging up, after seventeen years, a case which happened during the war when the people on trial -- as appeared likely -- had actually been living and working quietly somewhere in Slovakia. It did not seem probable either that people with a record of such serious crimes, which they admitted in the trial, should have been able to escape notice for such a long time.
- b) The defendants admitted that they had killed children, women and old people, that they had ransacked and burned down hamlets and settlements. However, none of them drew a sentence of more than 15 years. Several death sentences and sentences of life imprisonment had been expected.
- c) The only person sentenced to death was NIZNANSKY, now an employee of "Free Europe," as had been stressed several times during the trial. He was sentenced in absentia and thus was unable to defend himself, presenting an easy target for the prosecution.

The informant asserts that, as a result of all this, thinking people regarded the whole affair as a show trial, as a typical example of Communist justice which does not seek a just judgment but pursues other aims. The informants admit that there were certain still to be many people who would agree with the trial for a variety of reasons, such as hatred for the Germans and Hitler's followers, etc., and who would not think over carefully for themselves. These people would be in a substantial minority, however; compared with those who regard, out of principle, every Communist action with suspicion.

It struck the informant as strange that it was repeated several times during the trial that the main culprit, NIZNANSKY, is an employee of "Radio Free Europe". In view of all the discrepancies and inconsistencies of the trial, the above fact led him to believe that the issue at BANSKA BYSTRICA was not retribution for inhuman actions committed after the Slovak Uprising, but a trial of "Free Europe" which was to be discredited in the eyes of its listeners. This view -- as he said himself -- is most likely also held by other critics of the trial, inasmuch as he heard from others that the defendants, with the exception of NIZNANSKY, were sentenced only for form's sake and that they would be released again in two or three years.

In connection with this trial, the informant touched upon several questions which, in his view, those who prepared the trial did not include in their calculations or which they failed to assess correctly. One of them is the fact that people in the historical countries and even more so in Slovakia dislike the memories of war. These memories are disagreeable and they want to be left in peace. There is not much sympathy for trials going back to wartime deeds. A different case was the trial against Eichmann, who had been in hiding for years. But what is the point of bringing up a case which had occurred seventeen years ago, God knows under what circumstances. The informant also points out that the connection with the partisan movement raises doubts among

many people, as well as an opposite reaction because partisanship has been greatly profaned in our country.

Another questionable matter is, in source's view, the digging out of events which occurred during the protectorate or in the "Slovak State" and which upset a certain section of people in the whole country who were exposed at that time and who later went through all sorts of purges and trial revisions of this kind already after 1948. According to source, there are also among the comrades people whose criminal activity in the protectorate or the "Slovak State" has been covered by the Party card or by a confirmation of their partisan activity. Source notes that a similar confirmation saved the former trade union worker ERBAN during the protectorate. If anyone were interested in digging out his case, as happened to some others and to scrutinize it from similar aspects, his fate could easily be similar to the fate of those tried in BANSKA BYSTRICA. Of course, the charge would be different and would be preferred in a less public form. This was another reason why sympathy was deducted from the above-mentioned trial.

Another source (a man in his sixties, from PRAGUE, Party member,) who visited PARIS privately in January 1963 said, talking about the trial of the former members of the "Edelweiss" unit, that NIZHANSKY's case caused an unusual stir in Czechoslovakia.

People in the CSSR are, according to the informant, still very sensitive in this respect. The regime knows this very well, and, therefore, does not miss a single opportunity to use such cases of propaganda.

According to source, people are in general very surprised that a man like this is allowed to hold a position in an institution which has a mission as responsible as Radio Free Europe.

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